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APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY DOCKET NO.
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152 152 152

EXAMINER

152 152

ART UNIT

PAPER NUMBER

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BOSTON, MA 02109

DATE MAILED:

01/04/01

This is a communication from the examiner in charge of your application
COMMISSIONER OF PATENTS AND TRADEMARKS

OFFICE ACTION SUMMARY

Responsive to communication(s) filed on _____

This action is **FINAL**.

Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 D.C. 11, 453 O.G. 213.

Shortened statutory period for response to this action is set to expire _____ month(s) thirty days never is longer, from the mailing date of this communication. Failure to respond within the period for response will cause application to become abandoned. (35 U.S.C. § 133) Extensions of time may be obtained under the provisions of 37 CFR 3(a).

Disposition of Claims

Claim(s) 1-8 are pending in the application.
Of the above, claim(s) _____ is/are withdrawn from consideration.
Claim(s) _____ is/are allowed.
Claim(s) _____ is/are rejected.
Claim(s) _____ is/are objected to.
Claim(s) 1-8 are subject to restriction or election requirement.

Attachment Papers

See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

The drawing(s) filed on _____ is/are objected to by the Examiner.

The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

The specification is objected to by the Examiner.

The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d)

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) _____

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

Certified copies not received: _____

Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e)

Attachment(s)

Notice of Reference Cited, PTO-892

Information Disclosure Statement(s), PTO-1449, Paper No(s) _____

Interview Summary, PTO-413

Notice of Draftsperson's Patent Drawing Review, PTO-948

Notice of Informal Patent Application, PTO-152

--SEE OFFICE ACTION ON THE FOLLOWING PAGES--

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DETAILED ACTION

Claims 1-8 are pending in the application.

Election/Restriction

I. Restriction to one of the following inventions is required under 35 U.S.C. 121:

- I. Claims 1-8, drawn to compounds of formula I, wherein X is -NH-, the A ring is a benzene ring, cyclohexane or naphthalene or a group, and the Het is a pyridine ring, and compositions, classified in class 546, subclass 273.4+.
- II. Claims 1-8, drawn to compounds of formula I, wherein X is -NH-, the A ring is a pyridine ring, and the Het is a pyridine ring, and compositions, classified in class 546, subclass 118+.
- III. Claims 1-8, drawn to compounds of formula I, wherein X is

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-NH-, the A ring is a benzene ring, cyclohexane or naphthalene or a group, and the Het is a pyrimidine ring, and compositions, classified in class 544, subclass 297+.

IV. Claims 1-8, drawn to compounds of formula I, wherein X is -NH-, the A ring is a pyridine ring, and the Het is a pyrimidine ring, and compositions, classified in class 544, subclass 297+.

V. Claims 1-8, drawn to compounds of formula I, wherein X is oxygen, the A ring is a benzene ring, cyclohexane or naphthalene or a group, and the Het is a pyridine ring, and compositions, classified in class 546, subclass 271.7+.

VI. Claims 1-8, drawn to compounds of formula I, wherein X is oxygen, the A ring is a pyridine ring, and the Het is a pyridine ring, and compositions, classified in class 546, subclass 115+.

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- VII. Claims 1-8, drawn to compounds of formula I, wherein X is oxygen, the A ring is a benzene ring, cyclohexane or naphthalene or a group, and the Het is a pyrimidine ring, and compositions, classified in class 544, subclass 297+.
- VIII. Claims 1-8, drawn to compounds of formula I, wherein X is oxygen, the A ring is a pyridine ring, and the Het is a pyrimidine ring, and compositions, classified in class 544, subclass 297+.
- IX. Claims 1-8, drawn to compounds of formula I, wherein X is sulfur, the A ring is a benzene ring, cyclohexane or naphthalene or a group, and the Het is a pyridine ring, and compositions, classified in class 546, subclass 270.1.
- X. Claims 1-8, drawn to compounds of formula I, wherein X is sulfur, the A ring is a pyridine ring, and the Het is a pyridine ring, and compositions, classified in class 546, subclass 114.

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- XI. Claims 1-8, drawn to compounds of formula I, wherein X is sulfur, the A ring is a benzene ring, cyclohexane or naphthalene or a group, and the Het is a pyrimidine ring, and compositions, classified in class 544, subclass 297+.
- XII. Claims 1-8, drawn to compounds of formula I, wherein X is sulfur, the A ring is a pyridine ring, and the Het is a pyrimidine ring, and compositions, classified in class 544, subclass 297+.
- XIII. Claims 1 and 5-8, drawn to compounds and compositions of formula I not embraced by Groups I-XII.

2. The inventions are distinct, each from the other because of the following reasons: the compounds of Groups I-XIII differ materially in structure and element so much so as to be patentably distinct. In

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6. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a petition under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(I).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Laura L. Stockton whose telephone number is (703) 308-1875.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-1235.

A facsimile center has been established. The hours of operation are Monday through Friday, 8:45 AM to 4:45 PM. The telecopier numbers for accessing the facsimile machine are (703) 308-4556 or 305-3592.



Laura L. Stockton
Patent Examiner
Art Unit 1626, Group 1620
Technology Center 1600

January 3, 2001



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